



Edward C. McMurtrie, Vice President/General Manager

June 25, 2003

Dockets Facility
U.S. Department of Transportation
Room PL-401
400 Seventh Street, S.W.
Washington, DC 20590-0001

RE: Notice of Proposed Rulemaking (NPRM), Pipeline Safety: Liquefied Natural Gas Facilities: Clarifying and Updating Safety Standards [Docket No. RSPA-03-14456; Notice 1]

Dear Sir/Madam:

Paiute Pipeline Company (Paiute) is a wholly owned subsidiary of Southwest Gas Corporation and operates 834 miles of transmission pipeline in the state of Nevada.

Paiute supports the efforts of the Research and Special Programs Administration (RSPA) to clarify application of RSPA's safety standards for operation, maintenance, and fire protection of liquefied natural gas (LNG) facilities.

Paiute respectfully submits the following comments in regards to the Notice of Proposed Rulemaking (NPRM) concerning the LNG proposed revisions to 49 CFR Part 193. For ease of reference, Paiute has formatted its comments toward distinct areas: General Comments, and Specific Comments. The first set of comments addresses the proposed rule as a whole. The second set of comments addresses specific sections of the proposed NPRM.

General Comments:

Paiute believes that the manner in which certain parts of 49 CFR Part 193 is incorporated with parts of NFPA 59A makes the proposed regulations difficult to comprehend, administer and enforce. This approach contradicts the intent of RSPA to provide clarity to LNG safety standards. Operators as well as regulatory agencies will require substantial cross-referencing in order to determine applicability in any given situation. The resulting confusion will lead to operation and inspection errors when interpreting the correct application of the proposed rulemaking. The proposed NPRM only moderately eliminates this confusion.

Paiute believes that 193 Subparts B, C, D and E relating to construction and design can be eliminated and reference made to NFPA 59A. Paiute believes that the NFPA 59A (2001 edition) appropriately addresses the areas of siting requirements, design, construction, and equipment.

Although not currently part of the rulemaking, the NPRM preamble implies that RSPA may incorporate NFPA 59A (2001), Chapter 10, by reference in Part 193 in the future. Paiute would like to point out that NFPA 59A (2001) Section 10.15.4.4(d) gives different specifications for reliefs than in 193.2619(c). Paiute would like to point out that RSPA would need to provide clarification as to which of the specifications operators should follow if incorporation does occur.

Specific Comments on the Proposed Rule:

193.2005 Applicability

Paiute does not agree with RSPA's proposal to make the fire protection requirements in NFPA 59A (2001 edition) retroactive to existing LNG facilities. The primary reason is that the fire protection requirements in NFPA 59A are different from the previous fire protection requirements in Part 193. NFPA 59A section 9.7.2 states personnel "shall be equipped with the necessary protective clothing and equipment and qualified in accordance with NFPA 600, 'Standard on Industrial Fire Brigades.'" It is not clear whether this reference implies that existing LNG facilities have to comply with NFPA 600 even though fire brigades are not currently part of the fire protection plan.

Another concern with this retroactive requirement is that it is unclear whether existing LNG facilities need to comply with the fire protection operations and maintenance requirements in NFPA 59A. NFPA 59A section 9.4.4 requires that fire and gas systems be tested and maintained in accordance with NFPA 72. NFPA 72 establishes various testing frequencies, methods and qualifications that those working on the systems must have. The requirements in this standard imply that many LNG plant operators could not test and maintain such systems.

Paiute believes that if it is RSPA's intent to make the fire protection requirements retroactive, more time will be required for the industry and public to review the specific impacts of doing so. Paiute believes this should be done under a separate rulemaking.

193.2717 Training: Fire Protection

Paiute does not agree that "fire drills" should include the "evacuation of buildings" for plant technicians. Paiute believes that the use of hands-on fire fighting exercises in conjunction with tabletop drills should constitute a "fire drill" for the plant technicians. At Paiute, the plant technicians engage (under live conditions) in actual fire fighting during the exercise and are trained in the proper fire fighting techniques. Plant technicians should not be forced to evacuate the site (control building) as part of a drill. Paiute agrees that plant technicians should know the designated meeting area upon evacuation - which can also be performed in a classroom setting.

Paiute believes that it is more beneficial for the administrative personnel to perform an “evacuation exercise”. They would be required to keep track of visitors in the gathering area and would not take part in actual fire fighting.

193.2705 (b) Construction, installation, inspection, and testing

Paiute agrees with the modification to this section. Paiute believes that operators should periodically determine whether inspectors performing construction, installation and testing duties are satisfactorily performing their assigned functions.

193.2017 Plans and Procedures Review

Paiute does not agree with the proposed requirement to review and update plans and procedures once each calendar year not to exceed 15 months. Currently, plant supervisors and plant technicians are required to review the operations, maintenance and security plans as part of their refresher training within a two-year period. Once the refresher training is completed, plans and procedures are updated as necessary. Paiute management continuously reviews all manufacturer service bulletins for relevance. Manufacturer bulletins regarding safety issues on machinery are addressed in memos that are read and initialed by each of the plant’s operators as received. All pertinent items are filed in the manufacturer’s books and are readily accessible to all appropriate personnel during maintenance. Paiute believes that this current process ensures that plans and procedures accurately reflect current operations. **Paiute does not see any benefit in reviewing and updating plans on an annual basis since this process is maintained throughout the calendar year.**

Paiute appreciates this opportunity to submit comments on this NPRM. If you have any questions or would like to discuss this information further, please contact Reagan Monroe at (702) 876-7121.

Sincerely,

/s/ Edward C. McMurtrie

Edward C. McMurtrie
Vice President/General Manager